

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Jan 16, 2015

Eastern District of Washington

SEAN F. McAVOY, CLERK

Request for Modifying the Conditions or Term of Supervision

Name of Offender: Jared Ryan Marcum

Case Number: 0980 2:04CR06045-001

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea

Date of Original Sentence: April 21, 2006

Type of Supervision: Supervised Release

Original Offense: Possession of a Firearm by
Prohibited Person, 18 U.S.C. § 922(g)(1); Possession
of Body Armor, 18 U.S.C. § 931(a); Possession of a
Firearm by Prohibited Person, 18 U.S.C. § 922(g)(1);
Possession of an Unregistered Firearm, 21 U.S.C. §
5861(d)

Date Supervision Commenced: June 24, 2014

Original Sentence: Prison - 120 M; TSR - 36 M

Date Supervision Expires: June 23, 2017

PETITIONING THE COURT

To:

Order the Franklin County Jail to release all keys contained in the defendant's property from his January 14, 2015, arrest to United States Probation.

CAUSE

As stated within the January 16, 2015, Report on Offender Under Supervision, this officer had received information that the defendant was in possession of several hand guns. This information was received by an unnamed individual and additional information was needed to support the allegation. The same individual left a message that the defendant was using a baking powder mixture which would influence our presumptive testing strips to provide a negative result even though he had been using methamphetamine. Also noted above, the next sample the defendant provided was not tested on site but was sent directly to the lab for testing. This sample returned positive for the presence of methamphetamine.

After receiving the positive results, a request to complete a search of the defendant and his residence was going to be made. Prior to the request being submitted, the defendant was arrested on January 14, 2015, at a residence in Pasco where guns and drugs were located. That incident is still under active investigation. This would be the third time the defendant was contacted by law enforcement when guns, drugs, and large sums of money were present. The defendant is currently detained at the Franklin County Jail in Pasco under a Department of Corrections hold for unlawful possession of a firearm. This officer has been advised by the same unnamed individual that there are drugs and possibly additional weapons at the defendant's residence. The firearms may include high-power rifles. This is of concern as the defendant is currently living at a KOA park in Pasco where multiple residents are in close proximity.

With this report I am petitioning the Court to sign a warrant ordering the Franklin County Jail to release the defendant's keys which were booked into inventory when he was arrested on January 14, 2015. Per policy, the

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United States Probation Office can conduct a search of the individual under supervision so long as the individual first has a search condition imposed by the Court and no forced entry is made. The defendant has a search condition which was imposed by this Court which states the defendant shall submit defendant's person, residence, office, or vehicle to a search conducted by a U.S. probation officer, at a sensible time and manner, based upon reasonable suspicion of contraband or evidence of violation of a condition of supervision. Failure to submit to search may be grounds for revocation. Defendant shall warn persons with whom defendant shares a residence that the premises may be subject to search. The keys which are currently in possession of the Franklin County Jail would be used to gain entry into the defendant's residence so the search could be conducted. With the defendant being in custody the risk to officers, and residents living at the KOA park, would be greatly diminished.

Respectfully submitted,

by S/David L. McCary

David L. McCary
U.S. Probation Officer
Date: January 16, 2015

THE COURT ORDERS

- No Action
- The Extension of Supervision as Noted Above
- The Modification as Noted Above
- Other - The Franklin County Jail is ordered to release all keys contained in the Defendant's property from his January 14, 2015 arrest to the United States Probation Office.



Signature of Judicial Officer

January 16, 2015

Date